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REMARKS

I. **Introduction**

For the reasons set forth below, Applicants respectfully submit that all pending claims are patentable over the cited prior art references.

II. **The Rejection Of Claims 6-11, 13-14, 20-25 And 27-28 Under 35 U.S.C. § 102**

Claims 6-11, 13-14, 20-25 and 27-28 were rejected under 35 U.S.C. § 102(b) as being anticipated over Ward (GB 2 284 318). Applicants respectfully traverse this rejection for at least the following reasons.

With regard to the present invention, claims 6, 13, 20 and 27 each recite, in-part, a flicker detecting method comprising the steps of calculating a lightness value for each of at least two lines in a frame or a field of a video, comparing the lightness value of at least two of said at least two lines, and extracting a fluctuation cycle of lightness difference between adjacent lines of pixels from a result of the comparing step.

It was alleged that Ward discloses the step of comparing the lightness value of at least two of said at least two lines on page 6, lines 19-25. However, this passage recites that the "APL (average picture level) of three consecutive lines are processed by a noise bar detection circuit". Thus, Ward does not teach *comparing* the lightness values of at least two lines, but rather, Ward is merely **averaging** the picture level of the lines and comparing them to a threshold level in a detection circuit. As such, it is clear that Ward fails to disclose the step of comparing the lightness value of at least two of said at least two lines.

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As a result of this difference, Ward is unable to extract a fluctuation cycle of lightness difference as a result of small signal changes between adjacent lines of pixels and only an input signal which is significantly changed is detected. Ward recites on page 7, line 27 – page 8, line 4, "the output of the detection circuit (subtractor 20) is passed through a dual edged threshold (coring) circuit 28. By virtue of this circuit, *small differences* in APL between consecutive tv lines due to particular picture content *are ignored and only the large amplitude changes caused by the light or dark horizontal bars will result in pulses being passed* on to the latches 22, 24. As such, Ward is unable to detect a small change in signal level of adjacent lines.

Furthermore, Ward is also unable to detect when a significant change occurs, followed by a steady signal. In contrast, the present invention calculates the difference of the signal level of adjacent lines and compares these lines, even if a slight signal is detected or if a significant change is followed by a steady signal. As such, this comparison step of the present invention allows for extraction of a fluctuation cycle of lightness difference between adjacent lines of pixels.

Anticipation under 35 U.S.C. § 102 requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference, *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983). At a minimum, Ward does not disclose a flicker detecting method comprising the steps of calculating a lightness value for each of at least two lines in a frame or a field of a video, comparing the lightness value of at least two of said at least two lines, and extracting a fluctuation cycle of lightness difference between adjacent lines of pixels from a result of the comparing step. As such, it is clear that Ward does not anticipate claims 6, 13, 20 and 27, or any claim dependent thereon.

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III. All Dependent Claims Are Allowable Because The Independent Claim From Which They Depend Is Allowable

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.,* 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claims 6, 13, 20 and 27 are patentable for the reasons set forth above, it is respectfully submitted that all pending dependent claims are also in condition for allowance.
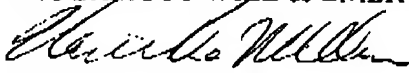
IV. Conclusion

Having responded to all open issues set forth in the Office Action, it is respectfully submitted that all claims are in condition for allowance.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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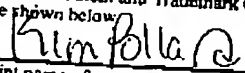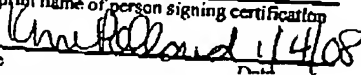Facsimile: 202.756.8087
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